

Coast Guard, DHS

§ 105.105

- 105.270 Security measures for delivery of vessel stores and bunkers.
- 105.275 Security measures for monitoring.
- 105.280 Security incident procedures.
- 105.285 Additional requirements—passenger and ferry facilities.
- 105.290 Additional requirements—cruise ship terminals.
- 105.295 Additional requirements—Certain Dangerous Cargo (CDC) facilities.
- 105.296 Additional requirements—barge fleetings facilities.

Subpart C—Facility Security Assessment (FSA)

- 105.300 General.
- 105.305 Facility Security Assessment (FSA) requirements.
- 105.310 Submission requirements.

Subpart D—Facility Security Plan (FSP)

- 105.400 General.
- 105.405 Format and content of the Facility Security Plan (FSP).
- 105.410 Submission and approval.
- 105.415 Amendment and audit.

APPENDIX A TO PART 105—FACILITY VULNERABILITY AND SECURITY MEASURE SUMMARY (CG-6025).

AUTHORITY: 33 U.S.C. 1226, 1231; 46 U.S.C. 70103; 50 U.S.C. 191; 33 CFR 1.05-1, 6.04-11, 6.14, 6.16, and 6.19; Department of Homeland Security Delegation No. 0170.1.

SOURCE: USCG-2003-14732, 68 FR 39322, July 1, 2003, unless otherwise noted.

Subpart A—General

§ 105.100 Definitions.

Except as specifically stated in this subpart, the definitions in part 101 of this subchapter apply to this part.

§ 105.105 Applicability.

(a) The requirements in this part apply to the owner or operator of any U.S.:

- (1) Facility subject to 33 CFR parts 126, 127, or 154;
- (2) Facility that receives vessels certificated to carry more than 150 passengers, except those vessels not carrying and not embarking or disembarking passengers at the facility;
- (3) Facility that receives vessels subject to the International Convention for Safety of Life at Sea, 1974, chapter XI;

(4) Facility that receives foreign cargo vessels greater than 100 gross register tons;

(5) Facility that receives U.S. cargo vessels, greater than 100 gross register tons, subject to 46 CFR chapter I, subchapter I, except for those facilities that receive only commercial fishing vessels inspected under 46 CFR part 105; or

(6) Barge fleetings facility that receives barges carrying, in bulk, cargoes regulated by 46 CFR chapter I, subchapters D or O, or Certain Dangerous Cargoes.

(b) An owner or operator of any facility not covered in paragraph (a) of this section is subject to parts 101 through 103 of this subchapter.

(c) This part does not apply to the owner or operator of the following U.S. facilities:

(1) A facility owned or operated by the U.S. that is used primarily for military purposes.

(2) An oil and natural gas production, exploration, or development facility regulated by 33 CFR parts 126 or 154 if:

(i) The facility is engaged solely in the exploration, development, or production of oil and natural gas; and

(ii) The facility does not meet or exceed the operating conditions in § 106.105 of this subchapter;

(3) A facility that supports the production, exploration, or development of oil and natural gas regulated by 33 CFR parts 126 or 154 if:

(i) The facility is engaged solely in the support of exploration, development, or production of oil and natural gas and transports or stores quantities of hazardous materials that do not meet or exceed those specified in 49 CFR 172.800(b)(1) through (b)(6); or

(ii) The facility stores less than 42,000 gallons of cargo regulated by 33 CFR part 154;

(4) A mobile facility regulated by 33 CFR part 154; or

(5) An isolated facility that receives materials regulated by 33 CFR parts 126 or 154 by vessel due to the lack of road access to the facility and does not distribute the material through secondary marine transfers.

(d) The TWIC requirements found in this part do not apply to mariners employed aboard vessels moored at U.S.